

## **REMARKS**

Reconsideration of the outstanding rejections and objections is requested in the light of the foregoing amendments which are believed to place the case in condition for favorable action.

A substitute drawing sheet one is submitted herewith which removes the Examiner's objection. As a matter of fact, the Examiner apparently overlooked the presence on sheet one of the symbol "T" near the lower end designating the downwardly projecting shaped gripper fingers. However, sheet one as filed still needed correction since symbol "F1" and "F2" were erroneously used for the same slot. In the corrected sheet, symbol "T" is used for the "transverse slot", as described on page 8 of the specification while the gripper fingers are being given the symbol "G" and page 14 is being amended accordingly.

A simplified and abbreviated abstract is included.

The objections to claim terminology have been removed. The "awkwardness" at claim 1, line 13 - 14 was due to an inadvertent omissions of words which is regretted as well as the double numbering of "claim 8".

As regards the substantive rejection, the proposed combination of references is deemed in violation of long-standing practice. Kosar is a design patent and, consequently, gives very little information as to its details. It is clear, however, that sign holder shown there is designed as a "flush mount"; indeed, "flush mount" is the only structural feature identified. If one were to attempt to modify Kosar to add a shank, then quite obviously, the result would not longer qualify as a "flush mount" and the one single stated characteristic would be eliminated. It is too well-settled to require citation that a combination of references that destroys (the common word is "vitiates") an essential feature of one reference to be combined is improper.

The Examiner's comments of the alleged advantages of adding a shank to the Kosar

arrangement does not appear to be warranted by the references themselves. The "attachment" means of Kosar is not identified but appears to be either of magnetic or adhesive nature. Replacing this with the plate and tongue anchor of Kump would actually seem to be more cumbersome and awkward than before, especially since the anchor of Kump obviously has limited application to some peculiar fixture structure equipped with slots for the tongues that is not believed to be common in stores, at least in the experience of applicant's attorney.

Claim 1 recites a further feature that distinguishes the references, namely, that the ribs of applicant's holder require the marginal portion of the placard to undergo flexing for insertion between the ribs. The action is described more precisely at p. 11, first complete paragraph of the specification. That is, it is the flexing resilience of the placard when being inserted into the ribbed slots that secures the placard in place, not the resilience or yielding of the ribs, as is characteristic of the prior art. To reinforce this feature in the claim, it is being amended to call for "non-resilient" ribs, and a supporting phrase is being added to the specification on p. 11. That the ribs are "non-resilient" or "unyielding" is plainly inherent from the description initially given: if the placard is forced to undergo flexing bending to accomplish insertion into the ribbed slots, then there can be no question that the ribs themselves do not bend or yield. Hence, the specification does not raise a question of new matter.

Kosar does not describe its sheet-gripping means but from the inclination and contouring of the internal fingers, it seems most apparent that those fingers are designed to yield by flexing upon insertion of a placard. Fanuef states in his many embodiments that the internal fingers are resilient. They are also consistently shown to have an inclined direction and in many, if not all, embodiments, those fingers are part of a specially formed "insert" or separate part that is combined with a mounting bracket. Similarly, in the embodiment of Kump of Figs. 1 - 5, there is a special insert including inclined fingers that is received by the bracket

"A". The need for a special "resilient" part separate from the mount that must of at least semi-rigid to perform its function, is a complication and expense that is not applicable to the invention wherein the ribs, head, etc can all be of the same durable hard material. In addition, repeated flexing of the fingers will over time cause them to break, particularly given the reduced thickness at the "hinge". Thus, claim 1, especially as amended, is believed to set forth subject-matter that is patentable over the cited prior art.

Claim 2, as well as claim 5, defines a novel bi-directional holder structure not taught by the art. Here, there is an additional slot in a portion of the head periphery that is spaced away from the first slot so that the additional slot is bodily displaced away from the first slot in the direction of the anchoring means. Only the "Catalogue" publication shows a "dual action" holder having an arrangement entirely different from the invention in which a forwardly opening gripping slot is simply aggregated with a downwardly opening gripping slot on the front and lower edge of a channel bracket. Applicant's attorney does not understand how such an arrangement can be "read on" the head/slot recited here. In any case, neither of the reference gripper slots can be said to be "bodily displaced" from the other in the direction of an anchoring means .

The advantages of the semi-spherical head of claim 3 were thought to be self-evident. It makes possible a capsular combination of multiple slots (as discussed further along) that cannot be true of Kosar. Nor is it at all clear how assuming a combination of Kosar and Kump, a further slot might be provided, given that the holder 20 consistently has a downwardly dependent orientation. And Kump does not teach any multi-slot unit.

Claims 6 - 8 are novel in their own right in calling for two intersecting slots in the end of the head opposite from the anchoring means to permit a forwardly directed placard to be displayed either vertically or horizontally.. Nothing in the art resembles this.


Claims 9 and 10 were already found to be directed to novel subject-matter. Claims 11 - 14 are concerned with details of the anchoring means which are not relied upon for patentability as such and except as dependent claims.

A new claim 15 is being presented, focused particularly on the novel arrangement of slots applicant has disclosed wherein one slot extends across the end of the head opposite to the anchoring means and a second slot across at least portion of the head periphery spaced from the inner limit of the first of the first and overlapping with an outer segment of the first slot. From the present drawings, it is clear that the slot designed "T", whether it be of chordal or ring-shaped configuration, overlaps with the an outer portion or segment of either of the slots F1 and F2. In this manner, applicant achieves what can be termed a "capsular" or "integrated" unit with all of the slots contained in a common head.

Claims 16 and 18 cover the special slot arrangements discussed above while claim 17 states that the head has a "generally bulbous" configuration and claim 19 adds details of the placard-gripping means, all of which are considered novel for reasons already set forth.

Favorable action leading to allowance is respectfully requested..

Respectfully submitted,

  
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